

Notice of Allowability

Application No.

10/733,955

Examiner

Mark Consilvio

Applicant(s)

SALES, TASSO R.

Art Unit

2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 03/30/2006.
2. ☒ The allowed claim(s) is/are 1, 2, 4-10, 12-20, 22, and 23 (and have been renumbered 1-20).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Status of Claims

Claims 1-10, 12-21, and 23 were previously rejected and claims 1, 2, 4-6, 14, 17-20, 22, and 23 are newly amended. Claim 22 was objected to and claim 11 was previously cancelled. Claims 3 and 21 are newly cancelled. Claims 1, 2, 4-10, 12-20, 22, and 23 are currently pending.

Response to Arguments

Applicant's arguments, see pp. 7-8, filed 03/30/2006, with respect to claims 1, 2, 4-10, 12-20, 22, and 23 have been fully considered and are persuasive. The rejection of claims 1, 2, 4-10, 12-20, 22, and 23 has been withdrawn.

Allowable Subject Matter

Claims 1, 2, 4-10, 12-20, 22, and 23 are allowed (and have been renumbered 1-20).

The following is a statement of reasons for the indication of allowable subject matter:

With respect to claims 1 and 22, though the prior art discloses a grid polarizer comprising a substrate and a plurality of stacked metal and dielectric layers disposed on the substrate and forming a parallel grid of stacked layers spaced such that no diffraction orders are allowed to propagate except the zero order resulting in a grid polarizer that is capable of transmitting substantially all illumination of a given polarization while suppressing at least a portion of the illumination reflected due to an orthogonal polarization component, the prior art of record fails to teach or suggest the aforementioned combination further comprising a transmission intensity as

Art Unit: 2872

represented by the following equation $I_r = |E_r|^2 = \frac{(r+1-a)^2 - 4r(1-a)\sin^2 \frac{1}{2}\varphi}{(r+1)^2 - 4r\sin^2 \frac{1}{2}\varphi}$ is substantially

equal to 0, wherein E_r represents the total reflected field, a represents the absorption experienced by the incident illumination upon interaction with the interface of the first metal layer and the dielectric layer and r represents the reflection coefficient.

With respect to claim 23, though the prior art discloses many of the limitations of claim 23 similar to those of claim 1 stated supra, the prior art of record fails to teach or suggest the aforementioned combination further comprising a plurality of stacked metal and semiconductor layers.

With respect to claims 2, 4-10, and 12-20, these claims depend on claim 1 and are allowable at least for the reasons stated supra.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Consilvio whose telephone number is (571) 272-2453. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.

Art Unit: 2872

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Dunn can be reached on (571) 272-2312. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Mark Consilvio
USPTO Patent Examiner
Jefferson, 3C21 AU-2872
(571) 272-2453



MARK A. ROBINSON
PRIMARY EXAMINER